

HOUSE BILL 621

E4, N1
HB 1396/10 – ENV

1lr1121

By: **Delegates Haynes, Anderson, Branch, Carter, Clippinger, Conaway,
Glenn, Gutierrez, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and
Washington**

Introduced and read first time: February 9, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Fire Safety – High–Rise Buildings – Mobility Impaired Individuals**

3 FOR the purpose of requiring the owner of a residential high–rise building to provide a
4 certain notice to individuals who are mobility impaired of the right to request
5 certain rental units when certain units in the building become available;
6 defining certain terms; and generally relating to fire safety in high–rise
7 buildings.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 9–401
11 Annotated Code of Maryland
12 (2003 Volume and 2010 Supplement)

13 BY adding to
14 Article – Public Safety
15 Section 9–405
16 Annotated Code of Maryland
17 (2003 Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Public Safety**

21 9–401.

22 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) “High-rise building” means a building for human occupancy that
2 is:

3 (i) four or more stories above grade level; or

4 (ii) over 45 feet in height.

5 (2) “High-rise building” does not include:

6 (i) a structure or building used exclusively for open air parking;

7 or

8 (ii) a building used exclusively for agricultural purposes.

9 (c) “Local fire department” means a career or volunteer fire department.

10 (d) **“MOBILITY IMPAIRED” MEANS UNABLE TO CARRY OBJECTS OR TO**
11 **MOVE OR TRAVEL WITHOUT THE USE OF AN ASSISTIVE DEVICE OR SERVICE**
12 **ANIMAL.**

13 (E) “Public way” means a paved thoroughfare over 21 feet in width that:

14 (1) is located on privately owned and privately maintained property
15 but is designated for public use; or

16 (2) is publicly owned and publicly maintained.

17 **9-405.**

18 **FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH-RISE**
19 **BUILDING SHALL PROVIDE REASONABLE WRITTEN NOTICE TO A RESIDENT WHO**
20 **IS MOBILITY IMPAIRED OF THE RESIDENT’S RIGHT TO REQUEST A RENTAL UNIT**
21 **ON THE FIRST FIVE FLOORS OF THE HIGH-RISE BUILDING IF ONE SHOULD**
22 **BECOME AVAILABLE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2011.